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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,618	08/05/2003	Hoeseong Ha	Q75501	5390
23373	7590	10/13/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			ABDULSELAM, ABBAS I	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/633,618	HA, HOESEONG	
	<b>Examiner</b>	<b>Art Unit</b>	
	Abbas I. Abdulselam	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 19 September 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/27/06 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed on 09/27/06 have been fully considered but they are not persuasive.

Applicant argues that the cited reference, Takahashi et al. (USPN 5923268) as amended does not teach “changing an equipment mode of the universal remote control to a display apparatus mode when the stored information on the input buttons is the information on the input buttons related to the selection of the external inputs into the display apparatus and maintaining a current equipment mode of the universal remote control when the stored information on the input buttons is not the information on the input buttons related to the selection of the external inputs into the display apparatus”.

However, as shown in the art rejection below, Takahashi teaches a user is required to preset the remote controller 100, and illustrates as shown in Fig. 3 how a user wants to stop CD player 302 and start reproduction by video deck 303 to produce sounds from speakers and

display images on television 304 (col. 2, lines 65-66 and col. 3, lines 1-15). Takahashi also teaches that if a user wants to again start reproduction by CD player 302, the user presses a reproduction start key of the remote controller 100 during a CD mode (col. 3, lines 25-27). Hence, Takahashi's teaching with respect to a transition from CD player to displaying images on TV and vice versa read over the argued claim limitation.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by anticipated by Takahashi et al. (USPN 5923268).

Regarding claims 1 and 5, Takahashi teaches method of controlling a universal remote control for remotely controlling a plurality of equipment including a display apparatus, (Fig. 2 (201), key group) comprising the steps of: storing information on input buttons to be subsequently selected when an external input select button of the universal remote control is selected; (Fig. 1 (10), microcomputer 102, col. 2, lines 56-64) determining whether the stored information on the input buttons is information on input buttons related to selection of external inputs into the display apparatus; (the remote controller can be preset so that microcomputer 102 can generate a remote control signal code decodable by plurality of target device modes, col. 2, lines 49-64) changing an equipment mode of the universal remote control to a display apparatus

mode when the stored information on the input buttons is the information on the input buttons related to the selection of the external inputs into the display apparatus; (col. 3, lines 5-15, different operation of modes, CD key of key group 201 , VCR mode and TV mode), and maintaining a current equipment mode of the universal remote control when the stored information on the input buttons is not the information on the input buttons related to the selection of the external inputs into the display apparatus (col. 3, lines 25-27); and transmitting key codes according to the stored information on the input buttons and the changed equipment mode of the universal remote control (col. 3, lines 42-57).

Regarding claim 5, Takahashi teaches transmitting key codes according to a current equipment mode of the universal remote control and the stored information on the input buttons when the stored information on the input buttons is not the information on the input buttons related to the selection of the external inputs into the display apparatus (col. 3, lines 42-65).

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Tetsuya (Japanese Publication # 08-237777).

Regarding claim 2, Takahashi does not teach, “restoring the equipment mode of the universal remote control to the stored unchanged equipment mode of the universal remote control, after the step of transmitting the key codes according to the stored information on the input buttons and the changed equipment mode of the universal remote control.

Tetsuya on the other hand teaches after a proper operation of a ten-key (4a), when a power key (3) to start transmission of a command code is operated within 10sec, a command code is preset and then preset mode is terminated and the mode restores to the usual mode.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Takahashi’s remote control shown in Fig. 2 to adapt Tetsuya’s mode restoration as illustrated in Fig. 1 because restorable mode helps allow a remote controller to effectively output command signals as taught by Tetsuya.

Regarding claim 3, Tetsuya teaches the input buttons related to the selection of the external inputs include at least one of a select button and a cancel button (Fig. 1 (8), a preset key).

Regarding claim 4, Tetsuya teaches the input buttons related to the selection of the external inputs include direction buttons (Fig. 1(7), up-and -down keys).

5. Claims 6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Shibuya (USPN 6795130).

Regarding claims 6 and 9, Takahashi teaches a method of controlling a universal remote control for remotely controlling a plurality of equipment including a display apparatus, comprising (Fig. 2 (201), key group) the steps of: displaying a menu list for selection of external inputs into the display apparatus and storing information on input buttons to be subsequently selected when an external input select button of the universal remote control is selected; (col. 2, lines 25-64) determining whether the stored information on the input buttons is information on input buttons related to the selection of the external inputs into the display apparatus; (col. 2, lines 49-55) changing an equipment mode of the universal remote control to a display apparatus mode when the stored information on the input buttons is the information on the input buttons related to the selection of the external inputs into the display apparatus; (different operation modes, CD mode (201), VCR mode, and TV mode); and maintaining a current equipment mode of the universal remote control when the stored information on the input buttons is not the information on the input buttons related to the selection of the external inputs into the display apparatus (col. 3, lines 25-27); and transmitting key codes according to the stored information on the input buttons and the changed equipment mode of the universal remote control when the equipment mode is changed (col. 3, lines 42-67) .

Takahashi does not teach performing cursor movement, or cancellation in the menu list for the selection of the external inputs into the display apparatus.

Shibmiya on the other hand teaches The menu key (201f) which is a key for display of a menu screen of various settings and operations of the TV receiver and various settings can be made on the menu screen through manipulation of the execute key (201g) cursor key (201h), and cancel keys (201j) (Fig. 4 (201j, 201h, 201f), and col. 5, lines 24-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Takahashi's remote control shown in Fig. 2 to adapt Shibmiya's menu, cursor and cancel keys (201f, 201h, 201j) as configured in Fig. 4 because the use of menu key helps function a remote controller device more effectively as taught by Shibmiya.

Regarding claim 10, Shibmiya teaches the input buttons related to the selection of the external inputs include at least one of a select button, a cancel button, and direction buttons (col. 5, lines 24-27).

6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. in view of Shibmiya (USPN 6795130) further in view of Tetsuya (Japanese Publication # 08-237777).

Regarding claim 7, Takahashi in view of Shibmiya does not teach, "restoring the equipment mode of the universal remote control to the stored unchanged equipment mode of the universal remote control, after the step of transmitting the key codes according to the stored information on the input buttons and the changed equipment mode of the universal remote control.

Tetsuya on the other hand teaches after a proper operation of a ten-key (4a), when a power key (3) to start transmission of a command code is operated within 10sec, a command code is preset and then preset mode is terminated and the mode restores to the usual mode.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Takahashi's modified remote control shown in Fig. 2 to adapt Tetsuya's mode restoration as illustrated in Fig. 1 because restorable mode helps allow a remote controller to effectively output command signals as taught by Tetsuya.

Regarding claim 8, Shibmiya teaches the input buttons related to the selection of the external inputs include at least one of a select button, a cancel button, and direction buttons (col. 5, lines 24-27).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I. Abdulselam whose telephone number is (571) 272 7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulselam

Examiner

Art Unit 2629

September 27, 2006



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